

### **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed June 30, 2006. Upon entry of the amendments in this response, claims 1 – 34 and 36 – 51 remain pending. In particular, Applicants amend claims 1, 36, and 37 and cancel claim 35 without prejudice, waiver, or disclaimer. Applicants cancel claim 35 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

#### **I. Allowable Subject Matter**

The Office Action indicates that claims 35 – 43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the elements of the base claim and any intervening claims. Applicants sincerely appreciate this indication of allowable subject matter and amend claim 1, as illustrated above. Applicants amend claim 1 by incorporating the elements of claim 35 and cancel claim 35. Applicants respectfully submit that these amendments place claims 1 – 34 and 36 – 51 in condition for allowance.

## **II. Rejections Under 35 U.S.C. §102**

### **A. Claim 1 is Allowable Over *Morris***

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Number 6,477,144 ("*Morris*"). Applicants amend this claim to include allowable subject matter, as discussed above. As such, Applicants submit that claim 1, as allowable over the cited art.

### **B. Claims 2 – 16, 19 – 21, 26 – 28, 30, 32 – 33, 47, and 49 – 50 are Allowable Over *Morris***

The Office Action indicates that claim 2 – 16, 19 – 21, 26 – 28, 30, 32 – 33, 47, and 49 – 50 stands rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Number 6,477,144 ("*Morris*"). Applicants respectfully traverse this rejection on the grounds that *Morris* does not disclose, teach, or suggest all of the claimed elements. More specifically, dependent claims 2 – 16, 19 – 21, 26 – 28, 30, 32 – 33, 47, and 49 – 50 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 1.

## **III. Rejections Under 35 U.S.C. §103**

### **A. Claims 17 – 18, 22 – 25, 29, 31, 34, 46, 48, and 51 are Allowable Over *Morris* in view of *Laubach***

The Office Action indicates that claims 17 – 18, 22 – 25, 29, 31, 34, 46, 48, and 51 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Morris* in view of U.S. Patent Number 6,028,860 ("*Laubach*"). Applicants respectfully traverse this rejection for at least the reason that *Morris* in view of *Laubach* fails to disclose, teach, or suggest all of the elements of claims 17 – 18, 22 – 25, 29, 31, 34, 46, 48, and 51. More specifically, dependent claims 17 – 18,

22 – 25, 29, 31, 34, 46, 48, and 51 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 1.

**B. Claims 22 – 25 are Allowable Over *Morris* in view of “IBM\_NB9203470”**

The Office Action indicates that claims 22 – 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Morris* in view of IBM Technical Disclosure Bulletin NB 92503470 (“IBM\_NB9203470”). Applicants respectfully traverse this rejection for at least the reason that *Morris* in view of IBM\_NB9203470 fails to disclose, teach, or suggest all of the elements of claims 22 – 25. More specifically, dependent claims 22 – 25 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 1.

## CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Further, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



Anthony F. Bonner Jr. Reg. No. 55,012

**THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.**  
Suite 1750  
100 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
(770) 933-9500